

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

NOV 07 2007

NEBRASKA DEPARTMENT
OF INSURANCE

STATE OF NEBRASKA)
DEPARTMENT OF INSURANCE,)
)
PETITIONER,)
)
VS.)
)
GILBERT W. LARSEN,)
)
RESPONDENT.)
)

AMENDED CONSENT ORDER

CAUSE NO. A-1749

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Joel F. Green and Gilbert W. Larsen ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondents pursuant to NEB. REV. STAT. §§ 44-101.01 and 44-4047 et seq. (Reissue 2004).
2. Respondent was licensed as an insurance agent under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Gilbert W. Larsen, Cause Number A-1749 on November 6, 2007. A copy of the petition was served upon the Respondent, Gilbert W. Larsen, 102 S. Clark, Box 489, Bloomfield, Nebraska 68718 by certified mail, return receipt requested.

2. Respondent is alleged to have violated NEB. REV. STAT. § 44-4059(1)(b) (Reissue 2004), NEB. REV. STAT. § 44-4059(1)(h) (Reissue 2004), and NEB. REV. STAT. § 44-317 (Reissue 2004) as a result of the following conduct:

- a. On or about Saturday, April 7, 2007, Respondent knowingly obtained a loan from insurance client Lawrence N. Goscha ("L. Goscha") in the amount of \$18,000.
- b. Respondent agreed to repay L. Goscha for the loan and on or about April 7, 2007, at the insistence of L. Goscha, issued a check in the amount of \$18,000 payable to the L. Goscha to be held by L. Goscha until Friday, April 13, 2007 at which time said check would be deposited.
- c. L. Goscha submitted the aforementioned check to the Respondent's bank, Brunswick State Bank, located in Winnetoon, Nebraska at which time the bank stamped the check "insufficient funds" and returned it to L. Goscha. The Respondent did not provide payment for the \$18,000 loan to L. Goscha until October 4, 2007.

3. Respondent was informed of his right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving the right to a public hearing, Respondent also waives the right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent denies the allegations stated in Paragraph 2. Respondent stipulates and consents to his Nebraska producer license (#AG124769) being revoked and to return his license to the Department of Insurance.

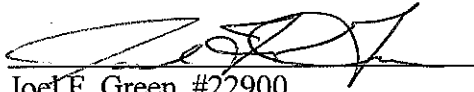
5. The State of Nebraska Department of Insurance will file no other administrative action against Respondent, if any, that may arise out of Respondents alleged conduct.

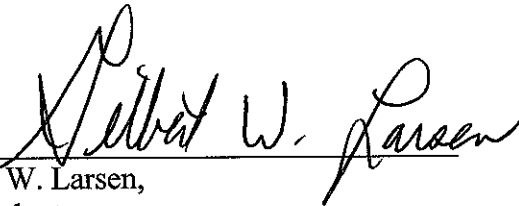
CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of NEB. REV. STAT. §§ 44-4059(1)(b), and 44-4059(1)(h) (Reissue 2004) and is subject to disciplinary action pursuant to NEB. REV. STAT. § 44-4059 (Reissue 2004).

CONSENT ORDER

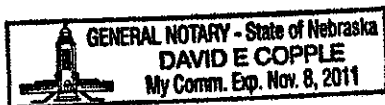
It is therefore ordered by the Director of Insurance and agreed by Respondent, Gilbert W. Larsen, that Respondent's Nebraska insurance producer's license (#AG124769) shall be revoked. Additionally, Respondent is required to return his license to the Department of Insurance within ten (10) business days from the date the Director of the Department of Insurance affixes his signature to this document and approves this consent agreement. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his signature below.


Joel F. Green, #22900
Attorney for Petitioner
941 "O" Street, Suite 400
Lincoln, NE 68508
(402) 471-2201
11/7/07
Date


Gilbert W. Larsen,
Respondent
By: _____
11/6/07
Date

State of Nebraska)
County of Madison) ss.

On this 6th day of November, 2007, Gilbert W. Larsen personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.




Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Gilbert W. Larsen, Cause No. A-1749.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



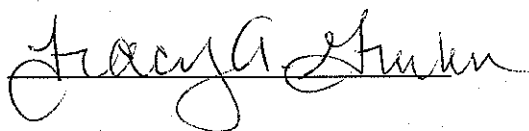
ANN M. FROHMAN
Acting Director of Insurance

11-07-07

Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent, Gilbert W. Larsen, 102 S. Clark, Box 489, Bloomfield, Nebraska 68718, by certified mail, return receipt requested on this 7th day of November 2007.



Tracy A. Stuken